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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Allan R. Schwartz et al.

PATENT

SECTOR  
#

Serial N .: 10/051,889

Examiner: Unassigned.

Filed: 01/16/2002

Art Unit: Unassigned

Docket No.: 99P1040US01

For: METHOD AND APPARATUS FOR RESETTING  
PROGRAMMING PARAMETERS WITHIN AN  
AN IMPLANTABLE MEDICAL DEVICE



TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

BOX MISSING PARTS  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application..., mailed 2/19/2002,  
submitted herewith for filing are the following documents:

Transmittal Letter and Cert. of Mailing  
 Notice to File Missing Parts of Nonprovisional Application...  
 Declaration (executed)  
 Fee Transmittal  
 Return Postcard

Also enclosed herewith are:

Assignment (executed)  
 Assignment (executed)  
 Redlined page 2 of Datasheet and replacement page  
 Red-lined Filing Receipt

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as "First Class Mail"  
in an envelope addressed to the:  
Assistant Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231, on:

March 1, 2002

Estella Pineiro Date

Respectfully submitted,

Derrick Reed

Derrick Reed, Reg. No. 40,138  
Attorney for Applicants

Date 3/1/02  
PACESETTER, INC.  
15900 Valley View Court  
Sylmar, CA 91392-9221  
818-493-2200



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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
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# **FEE TRANSMITTAL for FY 2002**

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\\$) 510</b>
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**Complete if Known**

Application Number	<b>10/051,889</b>
Filing Date	<b>1/16/2002</b>
First Named Inventor	<b>Allan R. Schwartz</b>
Examiner Name	
Group Art Unit	
Attorney Docket No.	<b>99P1040US01</b>

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account:

**16-0068**

**PACESSETTER, INC.**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEES CALCULATION**

**1. BASIC FILING FEE**

**Large Entity      Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1)      (\\$)**

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

**Large Entity      Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)      (\\$)**

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

**Large Entity      Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	<b>390</b>
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	<b>120</b>
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)      (\\$) 510**

**SUBMITTED BY**

Name (Print/Type)	Derrick Reed	Registration No. (Attorney/Agent)	40,138	Telephone	818/493-2200
Signature	<i>Derrick Reed</i>	Date	3/1/02	Complete (if applicable)	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## TRANSMITTAL LETTER

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March 1, 2002

To: Assistant Commissioner for Patents	From: Estella Pineiro Executive Patent Secretary 818/493-2251
Attention: Office of Initial Patent Examination - Customer Service	ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221
Telecopier: 703/308-7751	Telecopier: 818/362-4795
RE: REQUEST FOR CORRECTION OF FILING RECEIPT Applic. No. 10/051,889 Filed: 01/16/2002 Docket No. 99P1040US01	Number of pages being sent: <u>3</u> (including cover page)

1) Please make changes as red-lined on the enclosed Filing Receipt and provide a corrected filing receipt for our files.

2) Enclosed is the red-lined Inventor Information portion of the DATASHEET submitted at filing of the above application. Please replace with the attached corrected page.

Thank you for your help in this matter.

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THE INFORMATION CONTAINED IN THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND THOSE PROPERLY ENTITLED TO ACCESS TO THE INFORMATION AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR DUPLICATION OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR FACSIMILE. THANK YOU.



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/051,889	01/16/2002	Allan R. Schwartz	99P1040US01

CONFIRMATION NO. 7936

FORMALITIES LETTER



OC000000007497681\*

PACESETTER, INC  
15900 Valley View Court  
Sylmar, CA 91392-9221

Date Mailed: 02/19/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*TSeeger/rede*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/15/2002 JAD001 00000012 160068 10051889

01 FC:105 130.00 CH

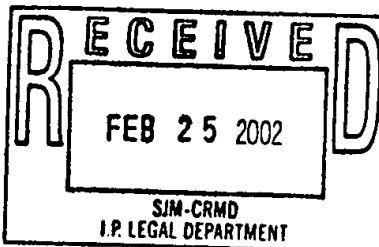
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145-1-91  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/051,889	01/16/2002	3762	740	99P1040US01	10	9	3



CONFIRMATION NO. 7936  
FILING RECEIPT



OC000000007497680\*

Date Mailed: 02/19/2002

PACESSETTER, INC  
1590 Valley View Court  
Sylmar, CA 91392-9221



This application is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Allan R. Schwartz, Moorpark, CA;  
David W. Adinolfi, Eden Prairie, MN;  
~~Hakan Hornell, Stockholm, SWEDEN;~~  
Kelly H. McClure, Simi Valley, CA;  
Brian M. Mann, Beverly Hills, CA;

*Should be HAKAN* — *Should be LIDINGOE*

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/459,258 12/10/1999

Foreign Applications

If Required, Foreign Filing License Granted 02/19/2002

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Method and apparatus for resetting programming parameters within an implantable medical device

Preliminary Class

607

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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